

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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MICHAEL FLOURNOY,

Plaintiff,

v.

FRANK J. HIMEL, et al.

Defendants.

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ORDER

Case No. 15-cv-66-jdp

Plaintiff Michael Flournoy, a prisoner in the custody of the United States Bureau of Prisons, has filed a proposed civil complaint. Plaintiff requests leave to proceed without prepayment of the filing fee. To the extent plaintiff wishes to proceed without prepaying the filing fee, and because plaintiff is incarcerated, plaintiff must comply with the Prisoner Litigation Reform Act (PLRA). The PLRA requires plaintiff to submit a certified copy of plaintiff's inmate account statement (or institutional equivalent) for the six-month period immediately preceding the date of the complaint. 28 U.S.C. § 1915(a)(2). Plaintiff has failed to submit the necessary inmate account statement.

For this case to proceed, plaintiff must submit the certified account statement no later than February 24, 2015. If plaintiff is found to be indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments. If plaintiff does not submit the six-month inmate account statement, I will assume that plaintiff wishes to withdraw this action voluntarily.

ORDER

IT IS ORDERED that plaintiff Michael Flournoy may have until February 24, 2015 to submit a trust fund account statement for the period beginning approximately July 27, 2014 and ending approximately January 27, 2015. If, by February 24, 2015, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 2nd day of February, 2015.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge